

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

WILLIE IRONE SIMMONS

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:07-cv-447-DPJ-JCS

DEE BATES AND TIMOTHY O. JONES

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, *sua sponte*, for consideration of dismissal. Pursuant to the Opinion and Order issued this date and incorporated herein by reference, it is

ORDERED AND ADJUDGED that Plaintiff's claims for monetary damages are dismissed with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(iii) and to the extent Plaintiff is seeking habeas relief his claims are dismissed without prejudice.

SO ORDERED AND ADJUDGED this the 2th day of November, 2007.

s/ Daniel P. Jordan III

UNITED STATES DISTRICT JUDGE